

BS



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/977,171	10/12/2001	Ji-Rong Wen	MS1-936US	2858
22801	7590	02/02/2004	EXAMINER	
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			WOO, ISAAC M	
			ART UNIT	PAPER NUMBER
			2172	2
DATE MAILED: 02/02/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/977,171

Applicant(s)

WEN ET AL.

Examiner

Isaac M Woo

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-7, 9, 11-14, 16-17, 19, 21-24, 26-27 and 29 is/are rejected.
- 7) ☒ Claim(s) 5, 8, 10, 15, 18, 20, 25, 28 and 30 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 6-7, 9, 11-14, 16-17, 19, 21-24, 26-27 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Voorhees et al (U.S. Patent No. 5,864,845, hereinafter, "Voorhees").

With respect to claims 1, 11 and 21, Voorhees discloses, the method, computer-readable media and computer device for clustering queries (col. 2, lines 40-49), identifying a same document and/or a plurality of similar documents selected by a user in response to a plurality of queries, see (col. 4, lines 38-60, for instance, queries retrieve many document in common they are about the same topic); and responsive to identifying the same document and/or the similar documents, generating a query cluster to indicate that the queries are similar (col. 4, lines 38-60, col. 2, lines 23-49, col. 5, lines 13-67 to col. 6, lines 1-19). Voorhees discloses, queries comprises similar composition with respect to other ones of the queries, see (col. 4, lines 38-60, col. 2,

lines 23-49, col. 5, lines 13-67 to col. 6, lines 1-19, clustering queries are grouping similar queries that are similar composition). Voorhees does not explicitly disclose, queries are similar independent of whether individual ones of the queries comprise similar composition. This means that each query is independent of each query input. And Voorhees discloses, "Search engines such as Excite and Alta Vista provide a query interface to the information in these pages", see (col.1, lines 47-59). This teaches the search engine provides query interface and each query input has no relationship each other and independent. Therefore, it would have been obvious to a person having ordinary skill in the art the time of the invention was made to include queries are similar independent of whether individual ones of the queries comprise similar composition in the system of Voorhees. Generating query cluster from random (each query input is independent of each other) queries, improves search performance by grouping of similar queries.

With respect to claims 2, 12, and 22, Voorhees discloses, queries comprise a well formed natural language question, a keyword, or a phrase, see (col. 3, lines 1-8, col. 1, lines 13-29).

With respect to claims 3, 13, and 23, Voorhees discloses, query cluster is used to disambiguate a word or phrase in a query of the queries, see (col. 3, lines 1-8, col. 1, lines 13-29).

With respect to claims 4, 14, and 24, Voorhees discloses, the queries are similar based on similar keyword or phrase composition, see (col. 3, lines 1-8, col. 1, lines 13-29).

With respect to claims 6, 16, and 26, Voorhees discloses, plurality of synsets, wherein each synset comprises one or more query clusters, see (col. 4, lines 38-60, col. 2, lines 23-49, col. 5, lines 13-67 to col. 6, lines 1-19).

With respect to claims 7, 17, and 27, Voorhees discloses, identifying the same document and/or the similar documents further comprises determining the similar documents based on a proportionality of commonly selected individual documents, see (col. 4, lines 38-60, col. 2, lines 23-49, col. 5, lines 13-67 to col. 6, lines 1-19).

With respect to claims 9, 19, and 29, Voorhees discloses, determining the similar documents based on a hierarchical positioning between individual ones of a plurality of documents commonly selected across the queries, see (col. 4, lines 38-60, col. 2, lines 23-49, col. 5, lines 13-67 to col. 6, lines 1-19).

Allowable Subject Matter

3. Claims 5, 8, 10, 15, 18, 20, 25, 28 and 30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Turkey et al (U.S. Patent No. 5,787,422) discloses the system for document clustering-based browsing of a corpus of documents, and more particularly to the use of overlapping clusters to improve recall. The invention is directed to improving the performance of information access methods and apparatus through the use of non-disjoint (overlapped) clustering operations. This can be used as 103 reference.


Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M Woo whose telephone number is (703) 305-0081. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (703) 305-9790. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

IMW
January 2, 2004


SHAHID ALAM
PRIMARY EXAMINER